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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,843	12/10/2001	Arnaud Flego	FR 000135	7610
24737	7590	06/16/2004	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS				D ADAMO, STEPHEN D
P.O. BOX 3001				ART UNIT
BRIARCLIFF MANOR, NY 10510				PAPER NUMBER
				3636

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/015,843	FLEGEO, ARNAUD
	Examiner Stephen D'Adamo	Art Unit 3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 April 2004.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 7-9 and 11-16 is/are pending in the application.  
 4a) Of the above claim(s) 7-9 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 11-16 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 10 December 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the main body including at least one hook extending through the opening into the cover and wherein the locking element extends through and into the cover (claim 14), must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Spakman et al. (3,179,737).

Spakman discloses a metal casing for a motor car radio. The metal casing comprises a main body 1 with an opening, a cover 3 moveable between an assembled position and a disassembled position, a locking element 9 moveable between a locked position and an unlocked position. The cover 3 includes at least one hook (disclosed in Figure 7) and in the assembled position, the hook extends through the opening into the main body.

Figures 1 and 2 disclose the locking element extending through and into the main body and cooperating with the hook to lock the cover 3 with the main body 1. Furthermore, the groove formed from the hooks or lugs is a guiding means for the locking element.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spakman et al. (3,179,737) in view of Napolitano (4,148,105).

Spakman discloses a metal casing for a motor car radio. The metal casing comprises a main body 1 with an opening, a cover 3 moveable between an assembled position and a disassembled position, a locking element 9 moveable between a locked position and an unlocked position. The cover 3 includes at least one hook (shown below and disclosed in Figure 7) and in the assembled position, the hook extends through the opening into the main body. Figures 1 and 2 disclose the locking element extending through and into the main body and cooperating with the hook to lock the cover 3 with the main body 1.

However, Spakman fails to disclose a retaining means. Yet, Napolitano discloses a securing device with a locking element 10 including a head 13 "having keyholes 14 and 15 formed therein for accommodating a special key....to insert said lock rod through the bores of the tank and...to remove said lock rod from said bores" (col.2, lines 10-16). It would have been obvious to one having ordinary skills in the art at the time the invention

was made to modify the locking element or studs 9 of Spakman with a retaining means or a head with keyholes, as taught by Napolitano, for retaining the stud within the guide means.

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spakman et al. (3,179,737)

Spakman discloses a metal casing for a motor car radio. The metal casing comprises a main body 1 with an opening, a cover 3 moveable between an assembled position and a disassembled position, a locking element 9 moveable between a locked position and an unlocked position. The cover 3 includes at least one hook (disclosed in Figure 7) and in the assembled position, the hook extends through the opening into the main body.

Figures 1 and 2 disclose the locking element extending through and into the main body and cooperating with the hook to lock the cover 3 with the main body 1. Furthermore, the groove formed from the hooks or lugs is a guiding means for the locking element. However, Spakman does not fully disclose the reversal of parts, as claimed. It would have been obvious to one having ordinary skill in the art at the time the invention was made to reverse the location of the hook and locking element, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 167.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spakman et al. (3,179,737) in view of Napolitano (4,148,105).

Spakman discloses a metal casing for a motor car radio. The metal casing comprises a main body 1 with an opening, a cover 3 moveable between an assembled position and a

disassembled position, a locking element 9 moveable between a locked position and an unlocked position. The cover 3 includes at least one hook (disclosed in Figure 7) and in the assembled position, the hook extends through the opening into the main body.

Figures 1 and 2 disclose the locking element extending through and into the main body and cooperating with the hook to lock the cover 3 with the main body 1. Furthermore, the groove formed from the hooks or lugs is a guiding means for the locking element. However, Spakman does not fully disclose the reversal of parts, as claimed. It would have been obvious to one having ordinary skill in the art at the time the invention was made to reverse the location of the hook and locking element, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 167. Furthermore, Spakman fails to disclose a retaining means. Yet, Napolitano discloses a securing device with a locking element 10 including a head 13 "having keyholes 14 and 15 formed therein for accommodating a special key....to insert said lock rod through the bores of the tank and...to remove said lock rod from said bores" (col.2, lines 10-16). It would have been obvious to one having ordinary skills in the art at the time the invention was made to modify the locking element or studs 9 of Spakman with a retaining means or a head with keyholes, as taught by Napolitano, for retaining the stud within the guide means.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1-6 and 10 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Savoir, Jr. (6,450,400), Hitchings (6,006,941 & 5,657,893), Sadler (5,875,948), Scholder (5,743,606), Kizawa et al. (5,682,910), Okojima et al. (4,799,604), Reis et al. (4,673,100), Knapp (2,936,189) and Levi (2,482,920) all show various features of the claimed invention.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

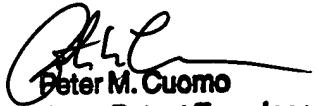
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen D'Adamo whose telephone number is 703-305-8173. The examiner can normally be reached on Monday-Thursday 6:00-3:30, 2nd Friday 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pete Cuomo can be reached on 703-308-0827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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June 2, 2004

  
Peter M. Cuomo  
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